

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

WRIT PETITION NO : 25019 of 1995

Between:

- 1 Satyavolu Lakshipathi S/O Lingamurthy
Rajamundry
- 2 Satyavolu S.D.Prasad S/O Lingamurthy,
Rajahmundry
- 3 Satyavolu Satyavati W/O Lingamurthy,
Rajahmundry

..... PETITIONERS

AND

- 1 The District Collector,
East Godavari, Kakinada.
- 2 The Sub Collector & Land Acquisition Officer,
Rajahmundry
- 3 The Rajahmundry Municipality rep. by its Commissioner
Rajahmundry

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ, order or direction particularly a writ in the nature of mandamus directing the respondents acquire the lands acquired for the purpose of laying 100 feet wide road connecting national highway NO.5 and the road-cum-rail bridge in Rajahmundry town or in the alternative directing the respondents to denotify the lands of the petitioners of the extent of 0.11 cents in R.S.NO.333/1-A, 0.59 cents in R.S.No.334/B as 0.70 cents in R.S.No.320/2 of Rajahmandry town, East Godavari dist., AP from the proceedings of acquisition vide A.P. Gazette part I extraordinary DT 05.11.80.

Counsel for the Petitioners: MR.V.PRABRAMHA SASTRY

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus to direct the respondents to acquire the entire extent of land required for the purpose of laying 100 feet wide road connecting the National High Way No.5 and the road-cum-rail bridge in Rajahmundry town or in the alternative to denotify the lands of the petitioners situated in R.S.Nos.333/1-A, 334/1-B and 320/2 admeasuring Ac.0-11 cents, Ac.0-59 cents and Ac.0-70 respectively of Rajahmundry Village, East Godavari District, from the land acquisition proceedings published in A.P. Gazette Part-I Extraordinary dated 05.11.1980.

It is the case of the petitioners that the respondents initiated land acquisition proceedings in respect of the aforesaid lands of the petitioners by A.P. State Gazette Part-I Extraordinary dated 05.11.1980 for the aforesaid purpose and accordingly, an award was also passed. But, now their grievance is that the respondents have not taken the possession of the acquired lands with respect to which the award has also become final. Therefore, they seek a direction to the respondents to acquire the said lands or in alternative to denotify the same.

The learned counsel for the petitioner submitted that the petitioners are still in possession of the acquired lands, and they are ready and willing to part with the same.

Though the writ petition is of the year 1995, no counter-affidavit is filed till now.

Therefore, having regard to the submission of the learned

counsel for the petitioners and in view of the facts and circumstances of the case, without going into the merits of the case, it would suffice if liberty is granted to the petitioners to make an appropriate application, if they so desire, before the authorities concerned for the relief, which is sought for in this writ petition.

With the above observation, the writ petition is disposed of. No order as to costs.

T.MEENA KUMARI, J

10.03.2005

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To

- 1 The District Collector,
East Godavari, Kakinada.
- 2 The Sub Collector & Land Acquisition Officer,
Rajahmundry
- 3 The Rajahmundry Municipality rep. by its Commissioner
Rajahmundry

4 2 CCs to Government Pleader for Land Acquisition,

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